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October 3, 2023

VIA ECF

Honorable Michael A. Shipp
Clarkson S. Fisher Building & U.S. Courthouse
402 East State Street
Courtroom 5W
Trenton, NJ 08608

**Re: LTL Management LLC v. The Official Committee of Talc Claimants,
Case No. 23-10979-MAS**

**Ad Hoc Committee of Supporting Counsel v. The Official
Committee of Talc Claimants, Case No. 23-17597-MAS**

Dear Judge Shipp:

We write on behalf of LTL Management LLC, appellant in one of the above-referenced actions. We submit this joint letter on behalf of LTL Management LLC (“LTL” or the “Debtor”) and the Ad Hoc Committee of Supporting Counsel (the “AHC of Supporting Counsel” and, together with LTL, the “Appellants”), and the following parties (collectively, the “Appellees”): (i) the Official Committee of Talc Claimants; (ii) Paul Crouch; (iii) the Ad Hoc Group of Mesothelioma Claimants; (iv) mesothelioma claimants represented by Maune Raichle Hartley French & Mudd LLC; (v) the States of New Mexico and Mississippi; (vi) claimants represented by Arnold & Itkin LLP; (vii) the Ad Hoc Committee of States Holding Consumer Protection Claims; (viii) claimants represented by The Barnes Law Group; and (ix) the Office of the United States Trustee for the District of New Jersey. Enclosed herewith please find a proposed consent order to stay the briefing schedule in the above-referenced appeals, pending a ruling by the United States Court of Appeals of the Third Circuit on the petition for direct appeal. The Appellants and the Appellees consent to this request.

On September 6, 2023, in the underlying bankruptcy case captioned *In re LTL Management LLC*, Case No. 23-12825 (MBK), the Appellants and Appellees filed the *Joint Certification to the Court of Appeals by all Appellants and Appellees* [Bankr. Dkt. 1310]¹ (the “Joint Certification”). On September 20, 2023, the Bankruptcy Court entered the *Order Certifying Direct Appeal to the United States Court of Appeals for the Third Circuit* [Bankr. Dkt. 1395]. The Joint Certification

¹ Citations to “Bankr. Dkt.” refers to filings in the underlying bankruptcy case.

gives the Third Circuit jurisdiction to hear the appeal directly from the Bankruptcy Court, if the Third Circuit accepts the appeal. Under Federal Rule of Bankruptcy Procedure 8006(g), a petition to the Third Circuit to accept appeal is due next week, on October 6, 2023, and any answer would be due ten days later, under Federal Rule of Appellate Procedure 5(b)(2).

If the Third Circuit Court of Appeals grants the petition for direct appeal, these appeals will proceed directly to the Third Circuit Court of Appeals, there will be no briefing in this Court, and any briefing that has taken place will be rendered moot. Chief Judge Wolfson granted a stay under similar circumstances when various parties appealed the Bankruptcy Court's order declining to dismiss LTL's first chapter 11 petition, and the Third Circuit did accept the certified direct appeal, terminating the district court's jurisdiction. See Order Staying Briefing Schedule, Case No. 3:22-cv-01339-FLW (D.N.J. Apr. 18, 2022), Dkt. 8.

Therefore, in the interest of conservation of judicial resources, as well as time and expense for the Appellants and Appellees, all parties have agreed that the briefing on the appeals should be stayed pending the Third Circuit's ruling on the petition for direct appeal.

For all of these reasons, the Appellants and the Appellees respectfully request that the Court enter the enclosed proposed order.

Very truly yours,

/s/ Paul R. DeFilippo

Paul R. DeFilippo

cc: Counsel of Record (via ECF)